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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/046,677	03/24/1998	KIMIKAZU FURUKAWA	614.1889	2428

21171 7590 10/23/2003

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WASHINGTON, DC 20005

EXAMINER

AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
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2642

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DATE MAILED: 10/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/046,677

Applicant(s)

FURUKAWA ET AL.

Examiner

Hector A. Agdeppa

Art Unit

2642

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 September 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-6, 8-13 and 15-20.

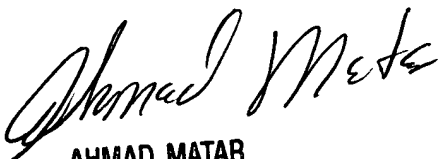
Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

Examiner: Hector A. Agdeppa  
703-305-1844

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Continuation of 19. Applicant's arguments do NOT place the application in condition for allowance because applicant's argument are not convincing. As to the issue of "severely attenuating" signals and "disconnecting," while the methods are not exactly the same, as noted in the previous office action, the purpose and end result is the same. Examiner directs applicant to the Abstract of Manning et al. wherein it is taught that "...transmission-inhibiting device is disclosed which detects DTMF signals across tip and ring conductors of a telephone link and switches in an a.c. load that attenuates the dialing signals by at least 30dB. This prevents action in response to the DTMF signals by a central office servicing the telephone link, thereby allowing commands-data to be transmitted within the home telephone wiring." Therefore, contrary to applicant's contention, the invention of Manning et al. can in effect, selectively inhibit transmission of DTMF signals to the telephone network while still allowing the DTMF command signals to control something connected to the telephone unit. As to applicant's further arguments, it is clearly inherent that DTMF signals must be detected as coming from the telephone network or from the telephone unit as a command or else there would be NO way to determine whether or not it was an incoming call to be answered or a command. Hence the reason for realizing that a certain DTMF signal is a command and attenuating it so as not to allow it to continue on to the central office. Furthermore, both Rosen and Bulfer references were relied on only to illustrate that a data processing device could be controlled by a telephone unit and that it is also old and well known to use voice signals.



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